#### DIVISION OF HUMAN RESOURCES

## 3.60 Separation from Agency or State Service

The Virginia Department of Social Services (VDSS) uses the Commonwealth's Department of Human Resource Management (DHRM) Policy 1.70 as the <u>foundation</u> for establishing guidance relative to separation from state service. This guidance also addresses employee transfers to other Commonwealth of Virginia (state) agencies.

Employees should refer to DHRM's website <u>and</u> this VDSS guidance for information about separation from employment.

# The following link connects to DHRM Policy 1.70, Termination/Separation From State Service:

http://web1.dhrm.virginia.gov/itech/hrpolicy/pol1 70.html

# **VDSS Guidance**

# **AUTHORITY, INTERPRETATION, AND REVISION:**

This Standard Operating Procedure (SOP) is issued by the VDSS. The VDSS Director of Human Resources (HR) or designee is responsible for the interpretation of this SOP and for its revision or rescission.

# I. PURPOSE

To provide guidance on the types of separation, the procedures to be followed, and advice for separating employees on benefits to which they may be entitled.

#### II. APPLICATION

This guidance applies to employees in full-time and part-time classified positions covered under the Virginia Personnel Act. Portions of this guidance relative to agency property and systems' access also pertain to contract employees, wage employees, interns, etc.

#### III. TYPES OF SEPARATION

## A. Resignation

- 1. Resignation is an employee's voluntary separation.
- 2. Employees who plan to resign from their positions are asked to provide reasonable advance notice to the agency, at least two (2) weeks in writing.
- 3. Employees who resign from VDSS and transfer to another state agency should state this in the resignation letter. This helps to ensure that no break in state service occurs and that benefits are handled appropriately.

# B. Retirement

Retirement is an employee's separation from active state service with the expectation
of receiving retirement payments from the Virginia Retirement System (VRS).
Employees should submit the retirement application to HR 100 days in advance of the
retirement date to allow time for processing by VDSS and VRS.

- 2. Employees also may contact the VRS directly.
- 3. Employees who plan to retire should provide their supervisors with a written resignation as far in advance of the retirement date as possible.

**Note:** If the employee has not notified the supervisor within 60 days of the retirement date, Human Resources will notify the Division Director of the anticipated retirement date.

4. For additional information on retirement benefits, employees should consult the Virginia Retirement System's Handbook for Members at <a href="http://www.varetire.org/">http://www.varetire.org/</a>.

#### C. Involuntary Separation

Involuntary Separation is when an employee is asked to leave state/agency service usually as a result of unsatisfactory performance or behavior. Involuntary separations are sometimes referred to as "discharges" or "terminations." Employees who are discharged will be issued a termination letter by an authorized supervisor or manager.

#### D. Layoff

A layoff occurs when an employee's job is abolished. Refer to  $\underline{\text{DHRM Policy 1.30}}$  for additional information.

E. Other - Long Term Disability (LTD) non-working

After exhausting short term disability (STD) benefits, an employee who is unable to work at least twenty hours per week in an approved capacity shall be separated from employment with VDSS. For additional information, refer to the Virginia Retirement System's Handbook for Members at <a href="http://www.varetire.org/">http://www.varetire.org/</a>.

## IV. WITHDRAWAL OF RESIGNATION

An employee may request to withdraw his or her resignation prior to the separation date or within thirty (30) days after the separation effective date. In both situations, employees should submit the request in writing to the supervisor or former supervisor if the employee has been separated. A copy of the request should be sent to the Division of Human Resources/Employee Relations. After the effective date of separation, an employee may be reinstated if the position still is available and if approved by the agency head or designee.

## V. BENEFITS UPON TERMINATION/SEPARATION FROM STATE SERVICE

In addition to retirement benefits that may be payable to retiring employees, employees separating from state service may be entitled to the following:

- A. Payment of accrued annual leave as allowed by policy;
- B. Payment of unused compensatory or overtime leave;
- C. Continuation of health insurance;
- D. Conversion of group life insurance to an individual policy;
- E. Conversion of long-term care insurance to an individual policy if the employee is under the VA Sickness and Disability Program (VSDP); and
- F. Payment of sick leave as allowed by policy if the employee is under the traditional sick

leave policy (same payment principle applies to disability credits under VSDP). HR will communicate with separating employees regarding the resolution or payment of benefits as part of the exit process.

#### VI. RECORDING TERMINATION/SEPARATION DATE

## A. Employee Not on Paid Leave

The Personnel Transaction Form (PTF) of an active employee shall state the separation date as the last day the employee worked.

## B. Employee on Paid Leave

The PTF of an employee on paid leave shall state the separation date as the last day that the employee was on paid leave.

## C. Employee on Leave Without Pay

The PTF of an employee on approved leave without pay who fails to return to state service shall state the separation date as the last day of leave without pay.

## D. Employee on Unapproved Leave

Consult with HR for guidance in situations where the employee is on unapproved leave with or without pay.

## VII. SEPARATION PROCEDURES for RESIGNATION, TRANSFER, RETIREMENT

## A. Employee

- 1. Provide a reasonable notice, preferably at least two weeks in advance. If transferring to another agency, note the name of the agency in the resignation letter.
- 2. Confirm leave balances with your supervisor for payout purposes.
- 3. Turn in the State ID badge, parking card, building access card, laptop, and all other state property on last day of work or when requested by supervisor.

Note: HR will send the employee a separation packet which includes pertinent information about benefits, retirement, etc.

4. Complete the exit interview form, preferably one (1) week prior to separation.

# B. Supervisor

- 1. Acknowledge employee's resignation either verbally or in writing, same day/next day.
- 2. E-mail HR/Benefits the employee's resignation letter and a completed PTF within 24 hours of being notified by the employee.
- 3. If applicable, follow the division's internal procedures for notification of separation (i.e. supervisor notifies manager/division director).
- 4. Complete and submit the <u>State Employee Separation & Transfer Checklist</u> to division security officer. Refer to <u>Agency Information Security guidance</u> for additional information.

- 5. Reconcile leave balances with the employee and provide the information to HR within the pay period in which the employee separates.
- 6. Obtain from the employee any work related equipment, access cards, files, laptop, etc.

#### C. Security Officer (Division)

Remove access to system(s) and e-mail the <u>State Employee Separation & Transfer Checklist</u> as instructed on the form. Refer to <u>Agency Information Security guidance</u> for additional information. Security guidance overrules HR guidance should HR guidance conflict with Security guidance as it relates to systems access.

Security Office (Agency)
 Verify that access to all system(s) has been deleted. If not, delete as appropriate.

#### VIII. PROCEDURES for INVOLUNTARY SEPARATION

#### A. Supervisor

- 1. Obtain from the employee any work related equipment, access cards, files, laptop, etc.
- 2. Escort employee from the building and immediately alert General Services / building security.
- 3. Follow division's internal procedures for notification of separation (i.e. supervisor notifies manager/division director), and immediately e-mail HR the completed PTF indicating employee discharge. Include the time of discharge.
- 4. Complete and submit the <u>State Employee Separation & Transfer Checklist</u> to the division security officer on the same day.

**Note:** When an employee is discharged, it is important to immediately complete the "Separation and Transfer Checklist" notifying Information Security via e-mail of the need for immediate termination of system access.

5. Reconcile leave balances and provide to HR within the pay period in which the employee separates.

# B. Security Officer (Division)

Remove system access and e-mail <u>State Employee Separation & Transfer Checklist</u> as instructed on form.

**Note:** When an employee is discharged, it is important to immediately complete the "Separation and Transfer Checklist" notifying DIS Security via e-mail of the need for immediate termination of system access. Refer to <u>Agency Information Security guidance</u> for additional information. Security guidance overrules HR guidance should HR guidance conflict with Security guidance as it relates to systems access.

## C. Security Office (Agency)

Verify that all system access has been deleted. If not, delete as appropriate. Refer to Agency Information Security guidance for additional information. Security guidance overrules HR guidance should HR guidance conflict with Security guidance as it relates to systems access.

D. Human Resources
Send the employee a separation packet which includes pertinent information about benefits, retirement, and related information.

# IX. SEPARATION PROCEDURES for Long Term Disability (LTD) - non-working

- A. VDSS follows the <u>Virginia State Disability Program</u> guidance.
- B. Refer to section VI for processing procedures.